



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

August 27, 2012

Edward Clarke
12808 49th Avenue West
Mukilteo, WA 98275

Re: Surface Water Application No. S1-28721

Dear Mr. Clarke:

Enclosed is a notice of your application, which must be published **once a week for two consecutive weeks** in a qualified legal newspaper of general circulation in **Skagit** County as provided in RCW 90.03.280. This newspaper should have a general circulation in the locality where the water is to be appropriated and used. A list of newspapers in the area is enclosed.

Please draw to the publisher's attention that the actual date of the **second** publication must appear in the space in the notice over the caption "last date of publication."

The applicant is responsible for the payment of the publication. To assure accuracy, it is **the responsibility of the applicant to check the notice carefully before having it published.** If an error is detected, do not submit the notice for publication, but refer the error to this office for correction and/or resolution.

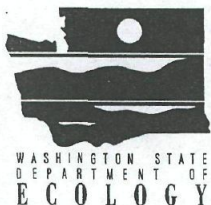
Please provide us with the **Original notarized affidavit** of each publication. Publication should start within thirty (30) days and the affidavit must be received in this office within sixty (60) days from the date of this letter or rejection will be initiated.

Sincerely,

Dorothy Glenn
Water Resources Program

dg/mc

Enclosure: Public Notice
Regional Newspaper List



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS

TAKE NOTICE:

That Edward J Clarke of Mukilteo, **WASHINGTON** on February 23, 2012, under Application No. S1-28721 filed for permit to appropriate public waters, subject to existing rights, from Lake Cavanaugh in the amount of 0.011 cubic feet per second each year, for single domestic supply. The source of the proposed appropriation is located in SW ¼ SW ¼ Section 22, Township 33N, Range 6E, W.M., Skagit County.

Protests or objections to approval of this application must include a detailed statement of the basis for objections: protests must be accompanied with a fifty-dollar (\$50.00) NON-REFUNDABLE recording fee (PLEASE REMIT CHECK OR MONEY ORDER ONLY) and filed with the Department of Ecology at the address shown below, within thirty (30) days from

(Last date of publication to be entered above by publisher)

DEPARTMENT OF ECOLOGY
CASHIERING OFFICE - NWRO-WR
PO BOX 47611
OLYMPIA WA 98504-7611



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April 10, 2012

Edward Clarke
12808 49th Avenue West
Mukilteo, WA 98275

RE: Your water right application S1-28721

Dear Mr. Clarke:

The Department of Ecology (Ecology) received your application for water to be diverted from Lake Cavanaugh on Feb 23, 2012 and assigned the application number S1-28721, the quantities and purpose of this application being for 5 gallons per minute for seasonal domestic use for a single home. According to your application, verified by our office through county records and our Geographic Water Rights Information System (GWIS), this application would have the point of diversion and place of use for such water on parcel # P66884, the legal description of which is lot 108, block 1 of the Lake Cavanaugh Sub Division Number 3.

According to our records, a previous owner of the property, Mr. William W. Crawford, submitted a claim to a water right on June 26, 1974 and Ecology assigned this claim the number S1-128824CL. Two days later, Ecology issued to Mr. Crawford a water right certificate (S1-22246CWRIS) for the property for 0.01 cubic feet per second and 1 acre-feet per year to be diverted from Lake Cavanaugh. The quantities of which are what Ecology assigns for domestic use for a single home.

At this time, Ecology has no indication that water right S1-22246CWRIS has been relinquished, meaning a period of non-use for 5 consecutive years. Furthermore, the quantities assigned to this water right will fulfill the needs as stated in your application. Therefore it is Ecology's determination that your application is unnecessary and, as per our telephone conversation yesterday morning, Ecology rejects application S1-28721. If you feel you need additional water for the purpose stated on your application, or for another purpose, please feel free to submit to our office another application for water use.



You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk P.O. Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board Environmental Hearings Office 1111 Israel Road SW, Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board P.O. Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website:

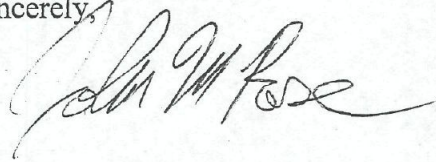
<http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website:

<http://www1.leg.wa.gov/CodeReviser>

Your attention to these laws and regulations, and cooperation with the Department of Ecology in this matter is appreciated. Please telephone me at (425) 649-7230 or email at john.rose@ecy.wa.gov if you have any questions concerning this rejection of S1-28721.

Sincerely,



John Rose, LG
Water Resources Program

jr/mc